



ATTORNEY'S DOCKET NUMBER: 2003080-0071 (SK-744-CON4)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Danishefsky *et al.*
Serial No.: ~~09/797,027~~ 10/004,571
Filed: March 1, 2001
For: Synthesis of Epothilones, Intermediates Thereto, Analogues and Uses Thereof

Examiner: Solola, T.A.
Art Unit: 1626

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Sir:

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

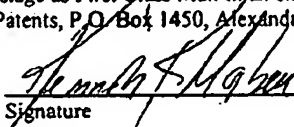
Responsive to the Restriction and Election Requirement mailed ^{December} ~~September~~ 15, 2004, Applicant respectfully elects Group XIV (Claims 27, 37-38), drawn to processes of making protected epothilones/precursor thereof, classified in several heterocyclic classes and non-heterocyclic classes. Applicant respectfully submits that claims 28 and 29, which depend from claim 27, have been inadvertently omitted from Group XIV in the Restriction Requirement, and Applicant requests that these claims be added to the elected group. In the Preliminary Amendment submitted with this Response, Applicant has added additional dependent claims, which fall within the elected group and find support in the Specification as originally filed.

Applicant thanks the Examiner for careful consideration of this case. Please charge any fees that may be associated with this matter, or credit any overpayments, to our Deposit Account No. 03-1721.

Respectfully submitted,


C. Hunter Baker, M.D., Ph.D.
Registration No.: 46,533

Choate, Hall & Stewart
Exchange Place
53 State Street
Boston, MA 02109
Tel: (617) 248-5000
Date: January 31, 2005

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w/atty. Baker
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